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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,099	09/15/2003	Jyrki Mikkola	02709/000N207-US0	1637
7278	7590	05/04/2005	EXAMINER	
DARBY & DARBY P.C. P. O. BOX 5257 NEW YORK, NY 10150-5257			DINH, TRINH VO	
		ART UNIT	PAPER NUMBER	
		2821		
DATE MAILED: 05/04/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/663,099	MIKKOLA ET AL. <i>DM</i>
	Examiner Trinh Vo Dinh	Art Unit 2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on amendment filed 03/07/05.
- 2a) This action is **FINAL**.                                   2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 13-15 is/are allowed.
- 6) Claim(s) 1-4 and 9-12 is/are rejected.
- 7) Claim(s) 5-8 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

## DETAILED ACTION

This is a response to amendment filed 03/07/2005. The objections of claims 2-11 have been withdrawn in view of the amendment. Newly added claims 13-15 have been indicated allowable. However, regarding amended claims 1-4 and 9-12, Applicant's arguments with respect to references Pankinaho, Avantego and Maoz are not deemed to be persuasive. Therefore, the amended claims 1-4 and 9-12 are rejected as discussed below.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3 and 12 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Pankinaho (US Patent 6,140,966).

With respect to claims 1 and 12, Pankinaho discloses, in Figs. 7-8 and 12a-12b, an internal planar antenna for a radio apparatus (210 in Fig. 9) comprising a ground plane (140 in Fig. 2), radiating plane (100), a feed conductor (110') for the latter, and a short-circuit conductor (130'; col. 7, lines 1-11) which connects the radiating plane to the ground plane at a short-circuit point (Fig. 8), the ground plane (140) including at least one non-conductive slot (141 in Fig. 12a) to improve matching of the antenna, a starting point of the slot being located in an edge of the

ground plane relatively near the short-circuit point (in Fig. 8) and the slot (141 in Fig. 12a) traveling substantially parallel to a long side of the radiating plane.

With respect to claim 2, Pankinaho discloses, in Fig. 12a, the ground plane being a conductive layer on the upper surface of a circuit board (160, col. 7, lines 20-25) in the radio apparatus, and the radiating plane being a conductive plane above the ground plane (col. 7, lines 20-25) and having an outline shaped substantially like a rectangle (Fig. 12a), wherein said short-circuit point (130 in Fig. 12a) is located relatively close, in proportion to the lengths of the sides of the radiating plane (100), to a projection of a corner of the radiating plane in the circuit board.

With respect to claim 3, Pankinaho discloses the slot (141) in the ground plane (140) increasing the electrical length of the ground plane as measured from the short-circuit point.

3. Claims 1-4, 9-10 and 12 are rejected under 35 U.S.C. 102(a) as being anticipated by Avantego (WO 01/89031 A).

With respect to claims 1 and 12, Avantego discloses, in Figs. 1-2, an internal planar antenna (10) for a radio apparatus (page 1, lines 15+) comprising a ground plane (12), radiating plane (11), a feed conductor (13) for the latter, and a short-circuit conductor (14) which connects the radiating plane to the ground plane at a short-circuit point (Fig. 5), the ground plane (12) including at least one non-conductive slot (121, 122) to improve matching of the antenna, a starting point of the slot being located in an edge of the ground (12) relatively near the short-circuit point (Fig. 5) and travels substantially parallel to a long side of the radiating plane (Fig. 1).

With respect to claim 2, Avantego discloses the ground plane (12) being a conductive layer on the upper surface of a circuit board (page 5, lines 30-32) in the radio apparatus, and the

radiating plane being a conductive plane (11) above the ground plane (12 in Fig. 2) and having an outline shaped substantially like a rectangle (Fig. 1), wherein said short-circuit point (in Fig. 5) is located relatively close, in proportion to the lengths of the sides of the radiating plane (11), to a projection of a corner of the radiating plane in the circuit board (18 in Fig. 4).

With respect to claim 3, Avantego discloses the slot (121) in the ground plane (12) increasing the electrical length of the ground plane as measured from the short-circuit point.

With respect to claim 4, Avantego discloses the antenna having at least a lower and an upper operating band, wherein the ground plane (12) includes a first and a second non-conductive slot (121, 122).

With respect to claim 9, Avantego discloses said slot (121, 122) in the ground plane (12) being arranged to resonate in the upper operating band of the antenna.

With respect to claim 10, Avantego further discloses, in Fig. 1 the second slot (122) starting from an edge of the ground plane (12), which is opposite to that edge from which the first slot (121) starts.

4. Claims 1-4, and 9-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Maoz et al (US 2004/012529 A1).

With respect to claims 1 and 12, Maoz discloses, in Figs. 1, 5a, 6a and 7a, an internal planar antenna (10) for a radio apparatus (paragraph [0030]) comprising a ground plane (51 in Fig. 5a), radiating plane (10), a feed conductor (7, 17) for the latter, and a short-circuit conductor (8+9, 18+19) which connects the radiating plane to the ground plane at a short-circuit point (7, paragraph [0034]), the ground plane (51) including at least one non-conductive slot (53a, 53b) to improve matching of the antenna, a starting point of the slot (53a) being located in an edge of the

ground (4) relatively near the short-circuit point and travels substantially parallel to a long side of the radiating plane (51).

With respect to claim 2, Maoz discloses the ground plane being a conductive layer on the upper surface of a circuit board (paragraph [0030]) in the radio apparatus, and the radiating plane (51) being a conductive plane above the ground plane (4, Figs. 1 and 5a) and having an outline shaped substantially like a rectangle (Fig. 5a), wherein said short-circuit point (7, 17) is located relatively close, in proportion to the lengths of the sides of the radiating plane (51), to a projection of a corner of the radiating plane (51) in the circuit board (4).

With respect to claims 3-4, Maoz discloses the slot (53a) in the ground plane (51) increasing the electrical length of the ground plane as measured from the short-circuit point, and the antenna having at least a lower and an upper operating band (paragraph [0017]), wherein the ground plane (51) includes a first and a second non-conductive slot (53a, 53b).

With respect to claim 9, Mao discloses at least a lower and an upper operating band ([0017]), said slot (53a, 53b) in the ground plane being arranged to resonate in the upper operating band of the antenna.

With respect to claims 10 and 11, Maoz further discloses the second slot (53b) starting from an edge of the ground plane (51) which is opposite to that edge from which the first slot (53a) starts, and at least one slot (53a) in the ground plane including a portion (the long portion of 53a) the direction of which differs substantially from the direction of the long side of the radiating plane

***Allowable Subject Matter***

5. Claims 13-15 are presently allowed.
6. Claims 5-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. The following is a statement of reasons for the indication of allowable subject matter:  
The cited art of record fails to teach the second slot starting from the same edge of the ground plane as the first slot and traveling substantially parallel to the first slot and said feed point being located between the first and second slots on the circuit board, or a capacitor connected across the at least one slot in the ground plane.

***Response to the arguments***

8. With respect to claims 1 and 12, Applicant argues, in pages 7-8 of the argument, that both references Pankinaho and Avantego fails to teach “the slot being located in an edge of the ground plane relatively near the short-circuit point and the slot traveling substantially parallel to a long side of the radiating plane”. The examiner respectively disagreed.

As discussed in paragraph 1 above, Pankinaho does teach “the slot (140 in Fig. 12a) being located in an edge of the ground plane (140) relatively near the short-circuit point (a point where the ground conductor 130' contacts the ground plane on a surface of plate 160 in Fig. 8) and the slot traveling substantially parallel to a long side of the radiating plane (a plane of antenna 100)”.

Similarly, Avantego, in Figs. 1, clearly teach “the slot (121) being located in an edge of the ground (12) relatively near the short-circuit point (in Fig. 5) and travels substantially parallel to a long side of the radiating plane (Fig. 1)”.

As same as Pankinaho or Avantego, Maoz does teach “the slot (53a) being located in an edge of the ground (4) relatively near the short-circuit point and travels substantially parallel to a long side of the radiating plane (51)”

Note that the words “near” and “long” are relative words. These words do not define how near is the slot near the short-circuit point neither how long is the long side of the radiating plane. Therefore, the slot, the short-circuit point and the side of the radiating plane of the invention are anticipated by Pankinaho, Avantego as well as Maoz. Therefore, 102 rejections of claims 1 and 12 are proper.

With respect to the rejections of dependent claims 2-5 and 9-10, which employing the additional teaching of Pankinaho, Avantego and Maoz, Applicant has not offer any specific argument thereagainst. Accordingly, no further comments concerning the rejections of the dependent claims are necessary.

### *Conclusion*

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Inquiry***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trinh Vo Dinh whose telephone number is (571) 272-1821. The examiner can normally be reached on Monday to Friday from 9:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong, can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Art unit 2821*

  
Trinh Vo Dinh  
May 02, 2005